IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9566 of 2005

Between:

V. Veerabhadra Rao, S/o. Gopala Rao,
R/o. Thotavallauru Road, Vuyyur,
Krishna District.

..... PETITIONER

AND

1 The District Collector, Krishna District Collectorate, Machilipatnam.
2 The Superintendent Engineer, Irrigation Department, Vijayawada Circle, Vijayawada.
3 The Mandal Revenue Officer, Vuyyuru Mandal, Vuyyuru, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not taking action against encroachments on the bunds of Kapileswarapuram new channel canal, Vuyyuru, Krishna District as arbitrary, illegal and consequently direct the respondents to take action for removal of encroachments on the Kapileswarapyuram new channel bunds and pass such other order or orders.

Counsel for the Petitioner: MR.B.SOMASEKHAR

Counsel for the Respondent No.: GP FOR IRRIGATION & COMM AREA DEV.

The Court at the stage of admission made the following :

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ORAL ORDER

Heard both sides.

In this Writ Petition, the petitioner is seeking a writ of Mandamus, declaring the action of the respondents in not taking action against encroachments on the bunds of Kapileswarapuram New Channel Canal, Vuyyuru, Krishna District as arbitrary, illegal and consequently direct the respondents to take action for removal of encroachments on the Kapileswarapuram New Channel Bunds.

The learned counsel appearing for the petitioner submits that the petitioner made a representation to the respondents to remove the encroachments, which are causing obstruction for vehicular traffic as well as free flow of water in the irrigation channel and the same is still pending.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents to dispose of the representation dated nil, filed by the petitioner, within a period of three months from the date of receipt of a copy of this order.

With the above observation, the Writ Petition is disposed of. No order as to cots.

ELIPE DHARMA RAO,J

DATED: 26.04.2005

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To

1 The District Collector, Krishna District Collectorate, Machilipatnam.
2 The Superintendent Engineer, Irrigation Department, Vijayawada Circle, Vijayawada.
3 The Mandal Revenue Officer, Vuyyuru Mandal, Vuyyuru, Krishna District.

4. Two CCs to G.P. for Irrigation &CAD, High Court of A.P., Hyderabad (OUT)

5. Two CD copies.